

01
02
03
04
05
06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,)
09 Plaintiff,) CASE NO. CR08-425-RAJ
10 v.)
11 NATHANIEL IVAN DURANT,) SUMMARY REPORT OF U.S.
12 Defendant.) MAGISTRATE JUDGE AS TO
ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
13

14 A hearing on supervised release revocation in this case was scheduled before me on
15 September 1, 2011. The United States was represented by AUSA Andrew Colasurdo and the
16 defendant by Bruce Erickson. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about May 8, 2009 by the Honorable Richard A.
18 Jones on a charge of Felon in Possession of a Firearm, and sentenced to 27 months custody, 3
19 years supervised release.

20 The conditions of supervised release included the standard conditions plus the
21 requirements that defendant participate in a substance abuse program, abstain from alcohol,
22 submit to search, not associate with any known gang members, and obtain his GED within six

01 months of release. (Dkt. 26.)

02 In an application dated (Dkt.), U.S. Probation Officer alleged the following violations
03 of the conditions of supervised release:

04 1. Changing residences, on or before July 18, 2011, without notifying the
05 probation officer in violation of standard condition number 6.

06 2. Failing to report for drug testing on July 28, August 11, and August 19, 2011, in
07 violation of the special condition ordering him to participate in drug testing as instructed by the
08 probation officer.

09 3. Failing to work regularly at a lawful occupation in violation of standard
10 condition number 5.

11 Defendant was advised in full as to those charges and as to his constitutional rights.

12 Defendant admitted violations 2 and 3 and waived any evidentiary hearing as to whether
13 they occurred. The government moved to dismiss violation 1 . (Dkt. 34.)

14 I therefore recommend the Court find defendant violated his supervised release as
15 alleged in violations 2 and 3, that the Court dismiss violation 1, and that the Court conduct a
16 hearing limited to the issue of disposition. The next hearing will be set before Judge Jones.

17 Pending a final determination by the Court, defendant has been detained.

18 DATED this 1st day of September, 2011.

19 

20 Mary Alice Theiler
21 United States Magistrate Judge
22

01

02 cc: District Judge: Honorable Richard A. Jones
AUSA: Andrew Colasurdo
03 Defendant's attorney: Bruce Erickson
04 Probation officer: Michael S. Larsen

05

06

07

08

09

10

11

12

13

14

15

16

17

18

19

20

21

22